

1 ALSTON & BIRD LLP
2 GIDON M. CAINE
3 275 Middlefield Road, Suite 150
Menlo Park, CA 94025-4008
Telephone: 650/838-2000
650/838-2001 (fax)
4 gidon.caine@alston.com

5 – and –

6 JESSICA P. CORLEY (admitted *pro hac vice*)
ANDREW T. SUMNER (admitted *pro hac vice*)
7 One Atlantic Center
1201 West Peachtree Street
8 Atlanta, Georgia 30309-3424
Telephone: 404/881-7000
9 404/881-7777 (fax)
jessica.corley@alston.com
10 andy.sumner@alston.com

11 Counsel for Defendants

12 [Additional counsel appear on signature page.]

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 CURTIS AND CHARLOTTE WESTLEY,) No. C11-02448-EMC
16 Individually and on Behalf of All Others) and related consolidated action
17 Similarly Situated,) (Lead Case No. C11-3176-EMC)
18 Plaintiffs,) (Derivative Action)
19 vs.)
20 OCLARO, INC., et al.,)
21 Defendants.)
22 In re OCLARO, INC. DERIVATIVE) Lead Case No. C11-3176-EMC
23 LITIGATION) (Derivative Action)
24 This Document Relates To:)
25 Westley v. Oclaro, Inc., et al.,)
C11-02448-EMC.)

26 STIPULATION AND [PROPOSED] ORDER
27 RESCHEDULING CASE MANAGEMENT CONFERENCE
28

1 WHEREAS, the parties have met and conferred in good faith concerning the prospects for a
2 non-litigated resolution of this action, and have scheduled a mediation for August 27, 2013 before
3 the Honorable Layn R. Phillips (Ret.);

4 WHEREAS, on July 15, 2013, the Court entered an order (i) approving the parties' joint
5 stipulation to continue the Case Management Conference ("CMC") and continue the stay of all
6 proceedings and deadlines in this action, including discovery deadlines, until after the CMC and a
7 schedule for the remainder of the action is in place and (ii) rescheduling the CMC for September 19,
8 2013 at 10:30 a.m. (Dkt. No. 162);

9 WHEREAS, September 19, 2013 falls on a Jewish holiday observed by lead counsel for
10 Defendants;

11 WHEREAS, the parties have agreed, subject to the Court's approval, to reschedule the CMC,
12 to September 26, 2013 at 10:30 a.m. or another date thereafter that is convenient to the Court;

13 WHEREAS, the parties have agreed, subject to the Court's approval, that the Joint CMC
14 Statement shall be due one week prior to the date of the CMC;

15 NOW THEREFORE, the undersigned parties, by and through their counsel of record,
16 stipulate as follows:

17 1. Subject to the Court's approval, the CMC, currently set for September 19, 2013 at
18 10:30 a.m., shall be rescheduled for September 26, 2013 at 10:30 a.m., or another date thereafter that
19 is convenient for the Court.

20 || 2. The Joint CMC Statement shall be due one week prior to the CMC.

21 | DATED: August 15, 2013

ALSTON & BIRD LLP
GIDON M. CAINE

s/ Gidon M. Caine
GIDON M. CAINE

275 Middlefield Road, Suite 150
Menlo Park, CA 94025-4008
Telephone: 650/838-2000
650/838-2001 (fax)
gidon.caine@alston.com

1 JESSICA P. CORLEY (admitted *pro hac vice*)
2 ANDREW T. SUMNER (admitted *pro hac vice*)
3 One Atlantic Center
4 1201 West Peachtree Street
Atlanta, Georgia 30309-3424
Telephone: 404/881-7000
404/881-7777 (fax)
5 jessica.corley@alston.com
andy.sumner@alston.com

6
7 Counsel for Defendants
8
9

10
11 ROBBINS GELLER RUDMAN
& DOWD LLP
12 SHAWN A. WILLIAMS
13 SUNNY S. SARKIS
14

15 s/ Shawn A. Williams
16 SHAWN A. WILLIAMS
17

18 Post Montgomery Center
19 One Montgomery Street, Suite 1800
20 San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)
21

22 ROBBINS GELLER RUDMAN
& DOWD LLP
23 JULIE A. KEARNS
655 West Broadway, Suite 1900
24 San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
25

26 Lead Counsel for Plaintiffs
27

28 ROBERT M. CHEVERIE & ASSOCIATES
GREGORY S. CAMPORA
Commerce Center One
333 E. River Drive, Suite 101
East Hartford, CT 06108
Telephone: 860/290-9610
860/290-9611 (fax)

HOLZER HOLZER & FISTEL, LLC
MICHAEL I. FISTEL, JR.
200 Ashford Center North, Suite 300
Atlanta, GA 30338
Telephone: 770/392-0090
770/392-0029 (fax)

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4
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DYER & BERENS LLP
ROBERT J. DYER III
JEFFREY A. BERENS
303 East 17th Avenue, Suite 810
Denver, CO 80203
Telephone: 303/861-1764
303/395-0393 (fax)

Additional Counsel for Plaintiff

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Certificate Pursuant to Local Rule 5-1(i)(3)

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I, Gidon M. Caine, am the ECF User whose identification and password are being used to file
the STIPULATION AND [PROPOSED] ORDER RESCHEDULING CASE MANAGEMENT
CONFERENCE. In compliance with Local Rule 5-1(i)(3), I hereby attest that Shawn A. Williams
has concurred in this filing.

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Dated: August 15, 2013

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s/ Gidon M. Caine
GIDON M. CAINE

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